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FM SECSTATE WASHDC
TO AMEMBASSY NEW DELHI 7055
BT
C O N F I D E N T I A L STATE 164120
E.O. 11652: GDS
TAGS: PLOS
SUBJECT: LOS - ARCHIPELAGOS
REF: NEW DELHI 7192

NY Summer Session
Archipelagos
India

1. USG AT RECENTLY CONCLUDED SESSION OF LOS CONFERENCE
OPPOSED APPLICATION OF THE ARCHIPELAGO CONCEPT TO OCEAN
ARCHIPELAGOS BELONGING TO CONTINENTAL STATES, E.G:
ANDAMAN AND NICOBAR ISLANDS (AS WELL AS HAWAII). INDIA
DREW LITTLE SUPPORT FOR THE CONTRARY POSITION. REVISED
SINGLE NEGOTIATING TEXT (RSNT) APPLIES THE ARCHIPELAGO
PRINCIPLE ONLY RPT ONLY TO INDEPENDENT ISLAND STATES. THE
US IS WILLING TO RECOGNIZE THE ARCHIPELAGO PRINCIPLE AS
PART OF AN LOS PACKAGE ONLY IF IT IS NARROWLY AND
OBJECTIVELY DEFINED TO APPLY TO LIMITED NUMBER OF ISLAND
STATES AND IF THE REGIME OF NAVIGATION AND OVERFLIGHT
THROUGH AND OVER THE ARCHIPELAGO IS SATISFACTORY. THE
ARCHIPELAGO CONCEPT IN THE RSNT IS APPLICABLE ONLY TO
A SMALL NUMBER OF ARCHIPELAGIC STATES, THE DEFINITION IS
NARROWLY DRAWN AND THE TRANSIT REGIME IS GENERALLY SATIS-
FACTORY, ALTHOUGH CERTAIN AMENDMENTS ARE NECESSARY.
APPLYING THE CONCEPT TO INCLUDE ISLAND GROUPS OF CON-
TINENTAL STATES WOULD BROADEN THE CONCEPT TO EXTENSIVE
PROPORTIONS. THE PRIME POLITICAL PURPOSE OF THE CONCEPT
IS TO ENHANCE THE SENSE OF UNITY OF ISLAND NATIONS.

2. AT THE SAME TIME USG SUPPORTS ECONOMIC ZONE AND CON-
TINENTAL SHELF ENTITLEMENT FOR ISLANDS; THIS IS RPT IS
THE RESULT IN THE RSNT (EXCEPT FOR ROCKS WHICH CANNOT
SUSTAIN HUMAN HABITATION OR ECONOMIC LIFE OF THEIR OWN).
THUS, WE AGREE RPT AGREE WITH MINISTER GOKHOLE'S CONCLU-
SION THAT ANDAMAN AND NICOBAR ISLANDS ARE ENTITLED TO
TERRITORIAL SEAS, ECONOMIC ZONES AND CONTINENTAL SHELF.
OF COURSE, FREEDOM OF NAVIGATION AND OVERFLIGHT WOULD
APPLY TO THE ECONOMIC ZONE.

3. WE WONDER WHETHER GOI HAS CAREFULLY CONSIDERED THAT
GIVING ARCHIPELAGO STATUS TO ITS ISLANDS, BY EMPHASIZING

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THEIR UNITY IN THE SENSE OF AN INDEPENDENT ISLAND STATE,
ALSO EMPHASIZES THEIR SEPARATENESS FROM THE CONTINENTAL
STATE, EMBASSY SHOULD ALSO BE AWARE THAT IN VIEW FACT
ISLANDS ARE AT ENTRANCE TO MALACCA STRAIT, OTHER ASIAN
AND PACIFIC STATES ARE NOT RPT NOT IN FAVOR OF INDIAN
POSITION. KISSINGER

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